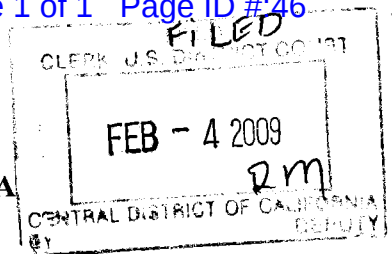


**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

**MARTIN CRUZ HERNANDEZ**

PLAINTIFF

CASE NUMBER **2:CV08-06572****RGK (RZ)**

- VS -

CORRECTIONAL LIEUTENANT

DEFENDANT(S)

**ORDER TO SHOW CAUSE RE DISMISSAL FOR
FAILURE TO PAY INITIAL PARTIAL FILING FEE**

On **10/21/2008**, plaintiff was granted permission pursuant to 28 U.S.C. § 1915(b)(1) to file the above-referenced action without paying the full filing fee of **350.00**, but plaintiff was ordered to pay an initial partial filing fee, in the amount of \$ **12.00**, within thirty(30) days to the Clerk of Court. To date, the payment has not been received.

The plaintiff has not complied with 28 U.S.C. § 1915(b)(1) and is here by ordered to show cause why this action should not be dismissed without prejudice for plaintiff's failure timely to pay the initial partial filing fee.

Plaintiff may file a response to this Order to Show Cause no later than twenty(20) days from the date of this Order. Failure to file a response within the time specified may be deemed consent to the dismissal without prejudice of this action. If the initial partial filing is received within the twenty(20) day period, no further response to this Order to Show Cause is necessary.

Dated : 2/4/09

By : *Ralph J. [Signature]*
UNITED STATES MAGISTRATE JUDGE